

AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]

Adopted and Filed Emergency After Notice

Pursuant to the authority of Iowa Code sections 163.1(1) and 163.6(2), the Department of Agriculture and Land Stewardship hereby amends Chapter 64, “Infectious and Contagious Diseases,” Iowa Administrative Code.

The amendments reduce the number of required low pathogenic avian influenza tests for large turkey flocks and broiler and layer chicken flocks. Commercial turkey operations with 1,000 or more turkeys would have the number of preslaughter tests reduced from 15 to 6 blood samples and the number of slaughter tests reduced from 20 to 6 blood samples. Commercial chicken operations of 10,000 or more birds would have their required number of blood sample tests reduced to 11. The amendments also clarify that the routine serologic testing required for laying chickens and pre-lay pullets is 11 birds per barn per year. These reductions in the number of tests conform the state testing requirements to the current testing requirements in the USDA Code of Federal Regulations.

Notice of Intended Action for these amendments was published in the Iowa Administrative Bulletin on October 29, 2014, as **ARC 1704C**. No comments were received from the public. The adopted amendments are identical to those published under Notice.

Pursuant to Iowa Code section 17A.5(2)“b”(2), the Department finds that the normal effective date of these amendments, 35 days after publication, should be waived and the amendments made effective January 1, 2015. These amendments confer a benefit by allowing the federal payment to continue for low pathogenic avian influenza testing covered by rule 21—64.187(163).

After analysis and review of this rule making, no adverse impact on jobs has been found.

These amendments are intended to implement Iowa Code section 163.1.

These amendments will become effective January 1, 2015.

The following amendments are adopted.

ITEM 1. Amend paragraphs **64.187(1)“a”** and **“b”** as follows:

*a. Preslaughter/movement testing.* A minimum of ~~15~~ six blood samples per flock may be collected and forwarded to an approved laboratory for LPAI testing within 21 days prior to depopulation or movement; or

*b. Slaughter/disposal testing.* ~~Twenty~~ Six blood samples per flock shall be collected at slaughter/disposal and forwarded to an approved laboratory for LPAI testing.

ITEM 2. Amend paragraph **64.187(2)“a”** as follows:

*a. Preslaughter/disposal/movement testing.* ~~Fifteen~~ Eleven blood samples shall be collected and forwarded to an approved laboratory for LPAI testing within 30 days prior to depopulation or disposal of spent hens or movement of pre-lay pullets to another farm.

ITEM 3. Amend paragraph **64.187(2)“c”** as follows:

*c. Routine serologic testing.* A test for LPAI of 11 birds per barn during a 12-month period ~~should~~ shall be included collected and forwarded.

ITEM 4. Amend paragraphs **64.187(3)“a”** and **“b”** as follows:

*a. Preslaughter testing.* ~~Twenty~~ Eleven blood samples may be collected and forwarded to an approved laboratory for LPAI testing within 21 days prior to depopulation; or

*b. Slaughter/disposal testing.* ~~Twenty~~ Eleven blood samples shall be collected at slaughter/disposal and forwarded to an approved laboratory for LPAI testing.

[Filed Emergency After Notice 12/3/14, effective 1/1/15]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 12/24/14.